

REMARKS

Claims 1, 15-18, 27, 37 and 38 are pending in this application.

The Office Action dated September 2, 2004, has been received and carefully reviewed. The issues raised in that Office Action were discussed with the examiner during a personal interview on December 1, 2004, and, as an initial matter, applicant's representative would like to thank the examiner for the courtesies extended during the interview. Pursuant to MPEP 713.04 an interview summary is provided below.

INTERVIEW SUMMARY

Claims 1 and 15 were discussed, as were the Takashima and Nagasaka references. No exhibits were shown. With regard to claim 15, applicant's representative proposed to make changes that were consistent with those suggested by the examiner in an earlier telephone interview. No agreement was reached as to what changes to claim 1 would make that claim allowable.

RESPONSE TO OFFICE ACTION

It is indicated in the Office Action that "no patentable weight has been given to the functional language as recited in claims 1 and 15." Applicant maintains that this functional language is proper and must be considered in interpreting the

claims. ("A functional limitation must be evaluated and considered, just like any other limitation of the claim, for what it fairly conveys to a person of ordinary skill in the pertinent art in the context in which it is used" MPEP 2173.05(h)). It is therefore submitted that the present rejections, which disregard limitations of claims 1 and 15, are improper. However, in order to advance the prosecution of this application, claims 1 and 15 have been revised to place less emphasis on functional language.

The examiner proposed changes to claim 15 during a telephone interview on August 25, 2004, that would make claim 15 allowable. By the above amendment, these proposals have been substantially adopted, although the exact language proposed by the examiner has not been used. In view of the above amendment, it is believed that claim 15, and its dependent claims 16-18 are now in condition for allowance.

Claim 1 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Takashima in view of Nagasaka. Claim 1 as amended, requires a calculating unit for calculating statistics of motion vector information related to the image data. Takashima does not show or suggest a calculating unit for calculating statistics of motion vector information as required by claim 1 or a frame feature value generating unit for generating a frame feature value which is numerical information representing quantity of a feature contained in a frame of image data using the calculated

statistics. Takashima furthermore does not show a frame feature value storing unit connected to a frame feature value generating unit for storing the frame feature value in correlating form with the frame of the image data. Nagasaka discloses the storage of certain frame feature value, but does not address the shortcomings of Takashima discussed above. Claim 1 and its dependent claim 27 are submitted to be allowable for at least these reasons.

New claims 37 and 38 are also submitted to be allowable over the art of record. Claim 37 requires a method of associating frame feature values with a plurality of frames of image data that includes the steps of calculating statistics of motion vector information related to the image data and generating a frame feature value comprising numerical information representing a quantity of a feature contained in a frame of the image data using the calculated statistics. A method including these steps is not shown or suggested by the prior art, and claim 37 is submitted to be allowable for this reason.

Claim 38 requires an information storing apparatus storing frame feature values in association with a plurality of frames of encoded image data that comprises a first frame feature value generating unit generating a first frame feature value for a given one of said plurality of frames based on prediction mode information from the plurality of frames and a second frame feature value generating unit generating a second frame feature value for

the given one of said plurality of frames based on motion vector statistics from the plurality of frames. The claim also requires a frame feature value storing unit operably connected to said first and second frame feature value generating units storing said first frame feature value and said second frame feature value in association with said given one of the plurality of frames. An information storing apparatus as required by this claim is not shown or suggested by the prior art, and claim 38 is submitted to be allowable for this reason.

Conclusion

Each issue raised in the Office Action dated September 2, 2004, has been addressed, and it is believed that claims 1, 15-18, 27, 37 and 38 are now in condition for allowance. Wherefore, reconsideration and allowance of these claims is earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$120.00 is attached hereto.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Scott Wakeman (Reg. No. 37,750) at the telephone number of the undersigned below, to conduct an interview

in an effort to expedite prosecution in connection with the present application.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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